

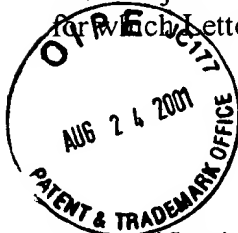
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DECLARATION AND POWER OF ATTORNEY - ORIGINAL APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below beneath my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which Letters Patent is sought on the invention entitled



MULTIMEDIA OPTICAL COMMUNITY AREA NETWORK

the specification of which _____ is attached hereto

(check one)

X was filed on June 1, 2001

as Application S.N. 09/870924

and was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International Application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or invention certificate, or a PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

0013366.0

UK

01 June 2000

X

(Number)

(Country)

(Day/Month/Year Filed) YES NO

(Number)

(Country)

(Day/Month/Year Filed) YES NO

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

(Application Ser. No.)

(Filing Date)

(Application Ser. No.)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Ser. No.)

(Filing Date)

(Status)

(patented,pending,abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

B. Edward Shlesinger, Jr., Reg. No. 17,225; George A. Arkwright, Reg. No. 20,158; George A. Garvey, Reg. No. 17,737; Josefino P. de Leon, Reg. No. 33,166; Terrence L. B. Brown, Reg. No. 32,685; Michael M. Zadrozny, Reg. No. 30,985; and Brian J. Marton, Reg. Agent 30,292;

SEND CORRESPONDENCE TO: **SHLESINGER, ARKWRIGHT & GARVEY LLP**
3000 South Eads Street
Arlington, Virginia 22202

DIRECT TELEPHONE CALLS TO: **Josefino P. de Leon** **(703) 684-5600**

The undersigned hereby authorizes the U.S. attorney(s) or agent(s) named herein to accept and follow instructions from **McDermid Turnbull & Associates** as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney(s) or agent(s) and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney(s) or agent(s) named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first inventor JEAN-FRANCIS KISOVEC

Inventor's signature [Signature] Date 12-27-06-2001

Residence 3432 Grand Boulevard, St-Hubert, Quebec, Canada J4T 2L7

Citizenship France

Post Office Address same as above

Full name of second or joint inventor MARC BAGE

Inventor's signature [Signature] Date 22 June 2001

Residence 320 rue L'Heureux Stn, Beloeil, Quebec, Canada J3G 2C9

Citizenship Canada

Post Office Address same as above

Full name of third or joint inventor MAROUN MASSABKI

Inventor's signature [Signature] Date 22 June 2001

Residence 615 Graham, Apt. 4, Ville Mont-Royal, Québec, Canada H3P 2E3

Citizenship Canada

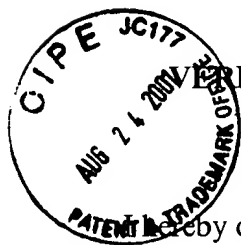
Post Office Address same as above

Applicant or Patentee: JEAN-FRANCIS KISOVEC et al.

Serial or Patent No.: 09/870924

Filed or Issued: June 1, 2001

For: MULTIMEDIA OPTICAL COMMUNITY AREA NETWORK



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27 (c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ () the owner of the small business concern indicated below:

☒ (✓) an official of the small business concern empowered to
act on behalf of the concern identified below:

NAME OF CONCERN VIPswitch Inc.

ADDRESS OF CONCERN 7005 Taschereau Blvd., Suite 330

Brossard, Quebec, Canada J4Z 1A7

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.21.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **MULTIMEDIA OPTICAL COMMUNITY AREA NETWORK**

by inventor(s) **JEAN-FRANCIS KISOVEC et al.**

described in

() the specification filed herewith

(X) application Serial No. 09/870924, filed June 1, 2001.

() patent no. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name _____

Address _____

() individual () small business concern () nonprofit organization

Name _____

Address _____

() individual () small business concern () nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING MARJORIE LEON

TITLE OF PERSON OTHER THAN OWNER VICE PRESIDENT FINANCE

ADDRESS OF PERSON SIGNING 7005 TASCHEREAU BLVD. #330, BRASARD

SIGNATURE Marjorie Leon DATE 26/06/01